

IDAHO BOARD OF DRINKING WATER & WASTEWATER PROFESSIONALS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 2/3/2021

BOARD MEMBERS PRESENT: Stacy Stuart
Paul D Sifford
Jerri Henry
Michael S Parker

BOARD MEMBERS ABSENT: Michael W Shepherd - Chair
David S Shurtleff

DIVISION STAFF: Russell Barron, Division Administrator
Dawn Hall, Section Chief
MiChell Bird, Section Chief
Julie Eavenson, Licensing Group Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Eric Nelson, Board Prosecutor
Dicsie Gullick, Team Lead

OTHERS PRESENT: Shelley Roberts, Idaho Rural Water Association
Therese Borgerding, Idaho Rural Water Assoc.
Leslie Wilder, Bat & Supply

The meeting was called to order at 9:00 AM MST by Michael S Parker.

APPROVAL OF MINUTES

Mr. Sifford made a motion to approve the minutes of November 4, 2020 and December 18, 2020. It was seconded by Mr. Stuart. Motion carried.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Henry made a motion to approve the Division's recommendation and authorize closure in case number I-WWP-2021-4. It was seconded by Mr. Sifford. Motion carried.

EXECUTIVE SESSION

Ms. Henry made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Sifford. The vote was: Mr. Stuart, aye; Mr. Sifford, aye; Ms. Henry, aye; and Mr. Parker, aye. Motion carried.

Mr. Stuart made a motion to come out of executive session. It was seconded by Mr. Sifford. Motion carried.

DISCIPLINE

Mr. Nelson presented a Stipulation and Consent Order in case number(s) WWP-2020-4. Ms. Henry made a motion to approve the Consent Order and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Sifford. Motion carried.

LAWS AND RULES

Ms. Hall presented a legislative update. She also stated that if the Board would like to bring a rule to reduce a barrier, it can be brought at any time. Otherwise, the full rules review is planned for 2024.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$270,372.60 as of December 31, 2020.

DIVISION BUSINESS

The Board reviewed the To Do List and no action was taken.

SUBCOMMITTEE REPORT

Ms. Henry gave a subcommittee report. The subcommittee wrote a problem statement regarding how responsible charge time is interpreted and used for licensure. The subcommittee would like to propose removing responsible charge time from the requirements for licensure and add required training such as managerial, and leadership.

Ms. Roberts spoke in support of removing the requirement of responsible charge time.

The Board discussed doing negotiated rule making this year to bring rule changes regarding responsible charge to the 2022 legislature. Mr. Krema will research if temporary rule making is an option for the Board.

Ms. Henry also spoke about the rules for the Department of Environmental Quality and offered to send a link to Ms. Gullick to forward to the Board.

NEXT MEETING was scheduled for May 5, 2021 at 9:00AM MDT.

BOARD BUSINESS

PUBLIC COMMENT

Ms. Roberts spoke in support of extending the time for Backflow Assembly Testers to get their refresher course.

WATER/WASTEWATER APPRENTICESHIP PROGRAM

Ms. Roberts introduced Therese Borgerding as the new apprenticeship coordinator for Idaho Rural Water Association (IRWA). Ms. Borgerding stated that the new curriculum rolled out on January 1st. Training groups, or cohorts now start in January and July. A lot of the curriculum is based on Ken Kerri courses from California State University, Sacramento and is supplemented by industry curriculum.

One day each semester there is a hands-on day due to the concerns about all virtual training. The response has been quite good because students like the structure and likes that they do not need to search for classes. Training can also be scheduled in advance.

There were 14 people in the January cohort, and several have committed to begin in July. Participants are from diverse regions and backgrounds from both water and wastewater.

The program has been awarded a 3-year grant from Workforce Development. This gives incentives for apprenticeships at the systems. It also gives funding for a full-time technical trainer and funding for training manuals. The tuition fee includes all training and manuals. For rural communities there is a 50 percent tuition match and travel cost assistance for those traveling to Boise.

IRWA is also looking into an apprenticeship program for a Class 1 license which would only be a one-year program.

It is also working on the Advanced Apprenticeship Program and needs clarification for classwork hours for a Class 3 license. IRWA would like the Board to consider rules regarding education and will send key points to the subcommittee.

DISCUSSION REGARDING BACKFLOW ASSEMBLY TESTER (BAT) EXTENSION

After discussion, Mr. Stuart made a motion to extend the BAT extension for the refresher course through the next meeting, at which time it will be reviewed again. It was seconded by Mr. Sifford. Motion carried.

APPLICATION FORM REVIEW

The Board reviewed changes to the Very Small Water and Wastewater application and Mr. Sifford made a motion to approve the changes and post to the website. It was seconded by Mr. Stuart. Motion carried.

CORRESPONDENCE

The Board reviewed correspondence from Mr. Utter regarding possible rule changes. The Board directed the Division to respond to Mr. Utter letting him know the subcommittee values suggestions and is working on changes to Board's rules. It also directed the Division to keep track of his name and contact information for negotiated rule making.

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Ms. Henry made a motion to come out of executive session. It was seconded by Mr. Stuart. Motion carried.

APPLICATIONS

Mr. Stuart made a motion to table the following pending receipt of additional information:

901179539
901144673
901131027

It was seconded by Mr. Sifford. Motion carried.

ADJOURNMENT

Mr. Stuart made a motion to adjourn the meeting at 11:34 AM MST. It was seconded by Ms. Henry. Motion carried.

Michael W Shepherd, Chair